

1
2
3
4
5
6
7
8 **IN THE UNITED STATES DISTRICT COURT**
9 **FOR THE EASTERN DISTRICT OF CALIFORNIA**
10

11 JAMES PATRICK DUNGAN et. al.,

12 Plaintiff,

13 v.

14 COUNTY OF SHASTA, et al.,

15 Defendants.
16

No. 2:24-cv-2394-DAD-DMC

ORDER

17 Plaintiffs, who are proceeding pro se, bring this civil action. Pending before the
18 Court is Defendants' motion to dismiss Plaintiffs' second amended complaint. See ECF No. 52.
19 Plaintiffs have filed an opposition and notice of errata.¹ See ECF Nos. 54 and 55. The parties
20 appeared before the undersigned for a hearing on November 5, 2025, via Zoom. Plaintiffs
21 appeared pro se. Zachary Ayre, Esq., appeared for Defendants. After considering the parties'
22 arguments, the Court directed the parties to submit additional briefing on the arguments related to
23 Plaintiffs' due process claim (Rooker/Feldman, collateral attack, exhaustion). Specifically, the
24 Court wants to know the status of state court proceedings, whether any appeals were taken, and, if
25 so, the disposition of any appeals. The Court will also consider any additional arguments the
26 parties wish to make regarding Defendants' contention that the second amended complaint fails to

27
28 ¹ Plaintiffs' notice of errata includes exhibits which were intended to be attached to
the second amended complaint, but which were not due to a filing error.

1 assert sufficient facts to establish a causal link between the individual defendants and a
2 constitutional violation. Upon completion of supplemental briefing, the Court will issue findings
3 and recommendations addressing Defendants' motion to dismiss.

4 At the hearing, the Court set a schedule for supplemental briefing. This order
5 confirms that schedule.

6 Accordingly, IT IS HEREBY ORDERED as follows:

- 7 1. Plaintiffs' supplemental brief is due on or before November 25, 2025.
- 8 2. Defendants' supplemental brief is due on or before December 15, 2025.
- 9 3. Plaintiffs may file a supplemental reply on or before December 29, 2025.

10
11 Dated: November 17, 2025



12 DENNIS M. COTA
13 UNITED STATES MAGISTRATE JUDGE
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28